

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

<b>In re:</b>	<b>§ Chapter 11</b>
<b>W. R. GRACE &amp; CO., et al.,</b>	<b>§ Case No. 01-01139 (JKF)</b>
<b><i>Debtors.</i></b>	<b>§ Jointly Administered</b>
	<b>§ Objection Deadline: 7/22/09</b>
	<b>§ Hearing Date: TBD (if needed)</b>

**SUMMARY OF APPLICATION OF ALAN B. RICH, ESQ. FOR  
COMPENSATION FOR SERVICES AND REIMBURSEMENT OF  
EXPENSES AS COUNSEL TO THE LEGAL REPRESENTATIVE FOR  
FUTURE ASBESTOS-RELATED PROPERTY DAMAGE CLAIMANTS  
AND HOLDERS OF DEMANDS FOR THE TENTH MONTHLY INTERIM  
PERIOD FROM JUNE 1, 2009 THROUGH JUNE 30, 2009**

Name of Applicant:	Alan B. Rich, Esq.
Authorized to Provide Services To:	Hon. Alexander M. Sanders, Jr., Legal Representative for Future Asbestos- Related Property Damage Claimants and Holders of Demands
Date of Retention:	September 29, 2008 ( <i>nunc pro tunc</i> )
Period for Which Compensation and Reimbursement is Sought:	June 1, 2009 through June 30, 2009
Amount of Fees Sought as Actual Reasonable and Necessary:	\$56,902.00 [80% of \$71,127.50]
Amount of Expenses Sought as Actual, Reasonable and Necessary:	\$7,769.09
This is a(n): <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Interim <input type="checkbox"/> Final Application	

PRIOR APPLICATIONS

Date Filed	Period Covered	Requested Fees <sup>1</sup>	Requested Expenses	Status of Fees	Status of Expenses
11/15/2008	9/29/2008 to 9/30/2008	\$5,796.00	\$693.50	Paid	Paid
11/15/2008	10/1/2008 to 10/30/2008	\$24,380.00	\$3,821.18	Paid	Paid
12/11/2008	11/1/2008 to 11/30/2008	\$35,326.00	\$4,010.79	Paid	Paid
1/2/2009	12/1/2008 to 12/31/2008	\$18,510.00	\$1,482.39	Paid	Paid
2/1/2009	1/1/2009 to 1/31/2009	\$31,740.00	\$2,717.34	Paid	Paid
3/2/2009	2/1/2009 to 2/28/2009	\$32,614.00	\$2,420.56	Paid	Paid
4/2/2009	3/1/2009 to 3/31/2009	\$27,186.00	\$4,556.30	Paid	Paid
5/5/2009	4/1/2009 to 4/30/2009	\$25,898.00	\$2,612.62	Paid	Paid
6/2/2009	5/1/2009 to 5/31/2009	\$56,304.00	\$5,301.01	CNO Filed	CNO Filed

Alan B. Rich is the only attorney providing services in this Fee Application period. Mr. Rich has practiced law for 24 years, and his billing rate is \$575 per hour. In this Application

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<sup>1</sup> At 80% of the total incurred.

period Mr. Rich billed 123.7 hours,<sup>2</sup> for a total amount billed of \$71,127.50 of which 80% is currently sought, in the amount of \$56,902.00.

As stated above, this is the Tenth application for monthly fees and expenses. The time for preparation of this Application is approximately 1.5 hours, for which \$862.50 will be requested in a future application.

#### COMPENSATION BY PROJECT CATEGORY

Project Category	Hours	Amount
Disclosure Statement and Confirmation	98.1	\$56,407.50
Travel	45.2 (at 100%)	\$12,995.00 (at 50%)
Fee Applications (Monthly & Quarterly) (Incl. FCR's)	3.0	\$1,725.00
<b>TOTAL</b>	<b>146.3</b>	<b>\$71,127.50</b>

#### EXPENSE SUMMARY

Description	Expense
Travel	\$7,320.59
Teleconferencing (Hearing and Depositions)	\$448.50
<b>TOTAL</b>	<b>\$7,769.09</b>

Detail of the fees and expenses billed is attached hereto as Exhibit A.

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<sup>2</sup> Non-Productive travel time is included in this figure, but at 50% of the actual time.

**CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 2016-2(f)**

I, Alan B. Rich, a professional person seeking approval of this Monthly Fee Application, and having reviewed the requirements of Local Rule 2016-2, hereby certify that in my opinion, this Monthly Fee Application complies with Local Rule 2016-2.

Respectfully Submitted,



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Alan B. Rich, Esq.  
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COUNSEL TO HON. ALEXANDER  
M. SANDERS, JR., LEGAL  
REPRESENTATIVE FOR FUTURE  
ASBESTOS-RELATED PROPERTY  
DAMAGE CLAIMANTS AND HOLDERS  
OF DEMANDS

**CERTIFICATE OF SERVICE**

I certify that on the 1<sup>st</sup> day of July, 2009, this document was served through the ECF system on all persons who have requested notice through the ECF system, and upon the special notice parties by electronic mail.



# EXHIBIT A

**ALAN B. RICH**

*Attorney and Counselor*

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**INVOICE FOR PROFESSIONAL SERVICES (June, 2009)**

**Client**

**Hon. Alexander M. Sanders, Legal Representative for Future Asbestos-Related Property Damage Claimants and Holders of Demands**

**Matter**

***In re W. R. Grace, No. 01-1139 (Bankr. D. Del)***

<u>Date</u>	<u>Services Performed</u>	<u>Time</u>
6/1/2009	Prepare and file Ninth Monthly interim Fee Application	1.5
6/1/2009	Travel (non-productive) from Dallas to Washington DC (5 hrs. @ 50%)	2.5
6/1/2009	Review CNA's objection to motion to shorted re Motion in Limine re Schein and Priest testimony	0.1
6/1/2009	Review Anderson Memorial's deposition notices of Mark Schelnitz and Jay Hughes	0.1
6/1/2009	Review COC and Stipulation and Order resolving Libby Claimants' wrongful death and loss of consortium standing objection	0.1
6/1/2009	Review Phase I trial briefs and exhibit books of General Insurance Co. and GEICO/Republic/Seaton	2.2
6/1/2009	Reivew revised Deposition Calendar as of 6/1	0.1
6/2/2009	Continue Review of Phase I trial briefs and exhibit books of Firemans Fund/Allianz, Arrowood (Phase I), AIU Joinder, Arrowood (Exculpation), AXA Belgium, CNA	5.0

6/2/2009	Review Amended Notice of Deposition of Bill Longo by Anderson Memorial and Notice of Gale Stockman	0.1
6/2/2009	Review Firemans Fund joinder in limited objection to hearing on shortened notice re Schein and Priest	0.1
6/2/2009	Review Motion of UCC to amend CMO and Motion to Shorten Notice	0.3
6/2/2009	Review revised Deposition Calendar as of 6/2	0.1
6/2/2009	Review renewed motion re settlement of Macerich property damage claim	0.1
6/3/2009	Deposition of Dr. Welch	8.0
6/3/2009	Review motion of Bank Lender group amend CMO and joinder in UCC Motion to Shorten Notice	0.3
6/3/2009	Telephone call with D Speights re PD CMO	0.1
6/3/2009	Travel (non-productive) from Washington DC to Dallas (8 hrs. @ 50%)	4.0
6/4/2009	Review Notice of appeal of bank lender group	0.1
6/4/2009	Review order shortening notice re Motion in Limine and order shortening notice of motion to modify CMO	0.1
6/4/2009	Review Firemans Fund joinder in other insurers' trial briefs	0.1
6/4/2009	Review Debtors' monthly operating report	0.1
6/4/2009	Email to Dan Speights re PD CMO	0.2
6/4/2009	Review Debtors' Motion for Protective Order re Shelnitz deposition	0.2
6/4/2009	Review email from debtor re logistics for pretrial conference	0.1
6/4/2009	Review deposition calendar as of 6/4	0.1
6/4/2009	Prepare Fourth Monthly interim Fee Application of PD FCR	1.0
6/5/2009	Attend (by telephone) Deposition of Dr. Arthur Frank	6.0

6/5/2009	Reivew emails from J. Baer and Court re binder and exhibit procedures for Phase I trial	0.1
6/5/2009	Review Deposition Notice of Pam Zilly	0.1
6/5/2009	Letter from L. Esayan re Document Production site	0.1
6/7/2009	Email to Client re status of fee applications	0.1
6/8/2009	Travel (non-productive) to Los Angeles for Peterson Depo. (5 hrs. @50%)	2.5
6/8/2009	Email from Debtors' counsel re Debtors' Phase I trial exhibits	0.1
6/8/2009	Review Dr. Florence update to Whitehouse rebuttal report	0.1
6/8/2009	Review Notice of resumption of Deposition of Dr. Whitehouse	0.1
6/8/2009	Review affidavit re "550 database" and Certificate of Counsel re same	0.1
6/8/2009	Review Zurich Phase I exhibits	0.1
6/8/2009	Review designations of items for appeal filed by the bank lender group and UCC	0.1
6/8/2009	Review Libby Claimants Motion to Reconsider Whitehouse order	0.5
6/9/2009	Deposition of Dr. Mark Peterson	6.3
6/9/2009	Review of Bank Lender Group Phase I trial exhibits	0.2
6/9/2009	Review Declaration of BMC re Vote Tabulation re Plan	0.1
6/9/2009	Review Plan Proponents' Phase I trial briefing	1.5
6/10/2009	Review ACC deposition of Jay Hughes and Debtors' notice of deposition of Dr. Whitehouse	0.1
6/10/2009	Review of revised deposition calendar as of 6-9	0.1
6/10/2009	Review Fee Auditors report regarding 31st quarterly hearing	0.1
6/10/2009	Review Exhibit A to the Plan vote tabulation declaration	0.2

6/10/2009	Travel (non-productive) from Los Angeles to New York (7.6 hrs. @50%)	3.8
6/11/2009	Attend deposition of property damage expert Denise Martin	2.3
6/11/2009	Attend (by telephone) portion of Deposition of Jay Hughes	6.0
6/11/2009	Email re cancellation of deposition of Dr. Weill	0.1
6/11/2009	Letter from Libby Claimants' counsel re production of documents	0.1
6/11/2009	Review BNSF deposition notice of the debtors	0.1
6/11/2009	Review Arrowood Response to Motion to Strike expert report of Professor Priest	0.5
6/11/2009	Review Plan Proponents' Response to Lenders' motion to modify CMO	0.4
6/11/2009	Travel (non-productive) from New York City to Dallas, via Chicago (arriving 6-12), after cancellation of all NYC to DFW flights because of Dallas weather (total 7.6 hrs. @50%)	3.8
6/12/2009	Attend (by telephone) portion of Deposition of Elihu Insulbuch	2.8
6/12/2009	Review Deposition Notices from Arrowood (Kujawa, Heberling, Libby Claimants, BNSF, Spear, Spady and Shea) and from Libby (CNA, Maryland Casualty, Arrowood)	0.2
6/12/2009	Review Maryland Casualty notices of Libby and BNSF	0.1
6/12/2009	Review order shortening notice re Motion to modify CMO	0.1
6/12/2009	Review Agenda for June 18 hearing	0.1
6/12/2009	Review Notice of Filing of Exhibits to Arrowood Response to Motion to Strike expert report of Professor Priest	0.3
6/12/2009	Review email correspondence among counsel re meet and confer for Phase I hearing	0.1
6/12/2009	Review email correspondence among counsel re designation of witnesses on behalf of BNSF	0.1
6/15/2009	Review BNSF Motion to Quash	0.1

6/15/2009	Emails from Debtors and insurers re issues for meet and confer	0.1
6/15/2009	Review Schwartz Declaration re Motion in Limine response	0.1
6/15/2009	Letter to Court from CNA re exhibits for Phase I	0.1
6/15/2009	Review Debtors' response to Fireman's Fund's interrogatories re surety obligation	0.1
6/15/2009	Review Debtors' objection to temporary allowance of AMH, Vancouver and Nanaimo claims for voting purposes	0.2
6/15/2009	Review UCC Document Request to Debtors	0.1
6/15/2009	Draft and attend to filing of PD FCR's Phase II witness list	0.2
6/15/2009	Email to K. Love at Kirkland and Ellis re deposition transcripts and exhibits	0.1
6/15/2009	Review witness lists of Scotts, General Insurance, FFIC (as surety), Allstate, CNA, PD Committee, Anderson Memorial, Fireman's Fund (non-surety), Allianz, Canada Claimants, Maryland Casualty, Federal Insurance, Zurich, ACC/FCR, OneBeacon, Seaton, BNSF, GEICO, Republic, AXA Belgium, Longacre, UCC	0.6
6/15/2009	Review Correspondence to Debtors re status of Finke and Posner	0.1
6/15/2009	Review Bank Lenders' Motion for Leave to Reply and review Reply re motion to modify CMO	0.3
6/15/2009	Review Anderson Memorial's Requests for Production on feasibility issues	0.1
6/16/2009	Review witness lists of the Debtors, ACC, PI FCR London Market Insurers, Libby claimants, and the bank lender group	0.1
6/16/2009	Email to client re status of witness lists	0.1
6/16/2009	Review Agenda for Phase I confirmation hearing	0.1
6/16/2009	Review Debtors' objections to documents	0.3
6/16/2009	Review Debtors' 6-16 draft chart of confirmation objections	0.4

6/16/2009	Attend (by telephone) deposition of Dr. Whitehouse	8.0
6/16/2009	Review Joinder of Libby Claimants in UCC discovery requests to debtors	0.1
6/16/2009	Review Joinder of the UCC in the bank lender group's motion for leave to reply and reply brief	0.1
6/17/2009	Draft and file CNO for PD FCR's Third Fee Application	0.1
6/17/2009	Telephonic meet and confer regarding phase I issues	1.3
6/17/2009	Review 6-16 deposition calendar	0.1
6/17/2009	Attend (by telephone) deposition of Dr. Stockman	5.0
6/17/2009	Review amended hearing agenda for 6-18	0.1
6/17/2009	Review order granting leave to reply re motion to amend CMO	0.1
6/17/2009	Review article regarding today's EPA emergency declaration in Libby	0.1
6/18/2009	Review Amended Agenda and Second Amended Agendas for Phase I	0.1
6/18/2009	Attend (by telephone) Pre-trial conference and motions hearing	4.8
6/18/2009	Review certain insurers Posner, Austern, Lockwood and Finke deposition designations	0.3
6/18/2009	Review Notice of telephonic hearing re BNSF motion to quash	0.1
6/18/2009	Review Revised 30(b)(6) Notice of Grace (LaForce) and Dr. Friedman	0.1
6/18/2009	Review proposed stipulation re exhibits	0.1
6/19/2009	Review Order regarding June 29 Omnibus hearing	0.1
6/19/2009	Review certain insurers Insulbuch and Hughes deposition designations	0.2
6/19/2009	Plan Proponents' Joint Motion for Leave From Scheduling Order and to Shorten Notice Period on Motion to Exclude the Expert Report and Testimony of Dr. Terry M. Spear, and Arrowood's joinder in same	0.1

6/19/2009	Plan Proponents' Joint Expedited Motion in Limine to Exclude the Expert Report and Testimony of Dr. Terry M. Spear and Appendices	0.6
6/19/2009	Review Supreme Court opinion in Travelers case	0.4
6/19/2009	Email correspondence re LaForce Deposition and Libby Claimant depositions	0.1
6/19/2009	Emails between various counsel regarding trial narratives	0.1
6/20/2009	Review proposed order re Phase I of confirmation	0.1
6/20/2009	Review Powers declaration re GEICO policies	0.1
6/20/2009	Review Order regarding BNSF motion to shorten time re motion to quash	0.1
6/20/2009	Review certain insurers sealed deposition designations of J. Posner	0.1
6/20/2009	Review third amended hearing agenda for Phase I confirmation hearing	0.1
6/20/2009	Review of revisions to chart of objections	0.1
6/20/2009	email from insurer re Priest testimony	0.1
6/21/2009	Travel (non-productive) from Dallas to Pittsburgh (5.4 hrs. @ 50%)	2.7
6/22/2009	Phase I Confirmation Hearing (Day 1)	8.6
6/22/2009	Review GEICO, Republic and Seaton Insurance Companies pre-trial statement with respect to Phase I of the Confirmation Hearing and Amended Powers Declaration	0.2
6/22/2009	Review Plan Proponents' Bench Brief re Deposition testimony	0.1
6/22/2009	Review CNA's pretrial narrative	0.1
6/22/2009	Pre-Trial statement of AXA Belgium	0.1
6/22/2009	Pre-Trial Statement of General Insurance and Declaration of James Downey	0.1
6/22/2009	Review Order regarding Hearing on Motion in Limine re Spear	0.1
6/22/2009	Review ACC deposition notice of Dr. Moolgard	0.1

6/22/2009	Certifications of Counsel re Fireman's Fund claims and re Defined Benefit Plan Contributions and CNO re Macerich Property Damage Claim	0.1
6/23/2009	Draft CNO re ABR Ninth Fee Application	0.2
6/23/2009	Review Agenda for June 29 Omnibus	0.1
6/23/2009	Phase I Confirmation Hearing (Day 2)	5.0
6/23/2009	Travel (non-productive) from Pittsburgh to Dallas (6.6 hrs. @ 50%)	3.3
6/23/2009	Conference with client re status	0.1
6/24/2009	Review Motion to approve settlement with the Royal parties	0.3
6/24/2009	Review Debtors' counterdesignations in Default Interest appeals	0.1
6/24/2009	Emails re postponement of LaForce Deposition	0.1
6/24/2009	Review of Debtors' Amended Final Witness List	0.1
6/24/2009	Review Order resetting hearings	0.1
6/25/2009	Attend (by telephone) deposition of Dr. Moolgard	6.0
6/25/2009	Review Fireman's Fund's Notice of filing and service of Trial Exhibits	0.1
6/25/2009	Telephone conference with AMH counsel re LaForce Deposition and other feasibility scheduling matters	0.2
6/26/2009	Review Libby discovery re Royal Settlement	0.1
6/26/2009	Review Certification of Counsel re 31st Quarterly Fee Application	0.1
6/26/2009	Review revised Deposition Calendar as of 6/26	0.1
6/26/2009	Review Insurers' Supplemental Lockwood designations and exhibits	0.3
6/26/2009	Prepare and attention to filing the CNO for the 4th monthly fee application of the PD FCR	0.2
6/26/2009	Review errata sheets to Lockwood deposition	0.1

6/26/2009	Review deposition notices of Powers, Kelley, MacDonald and Florence	0.2
6/26/2009	Review Amended Agenda for June 29 hearing	0.1
6/26/2009	Review GEICO, Republic and Seaton Insurance Companies' proffer of evidence for Phase I of the Confirmation Hearing	0.2
6/26/2009	Review Certain Insurance Companies' proffers of evidence for Phase I of the Confirmation Hearing and of proffer of deposition excerpts	0.2
6/26/2009	Review AXA proffer for Phase I (McCabe Declaration)	0.1
6/26/2009	Review proposed orders from Phase I hearing from Debtors' counsel	0.2
6/29/2009	Telephonic Omnibus hearing	1.0
6/29/2009	Review UCC proposed changes to the class 9 impairment hearing order	0.1
6/29/2009	Review return of Lockwood subpoena	0.1
6/29/2009	Review of revised deposition calendar as of 6-29	0.1
6/30/2009	Review Freegood and Shelnitz Declarations	0.1
6/30/2009	Review ACC's amended deposition notices of MacDonald, Powers & Kelley	0.1
6/30/2009	Review Certification of Counsel re Project Categories	0.1
6/30/2009	Review Revised Deposition Calendars as of 6/30	0.1

Total: 123.7 hours @ \$575.00/hour = \$71,127.50

Expenses: Detail on Exhibit 1- \$7,769.09

**Total Fees and Expenses Due: \$78,896.59**

## EXPENSES FOR JUNE 2009

## EXHIBIT 1

DATE	DESCRIPTION OF EXPENSE	AMOUNT
5/22/2009	Court Call for May 21 hearing	\$97.50
5/26/2009	Court Reporter's Teleconference Bill for Moolgavkar Deposition	\$201.00
6/1/2009	RT Coach Airfare to Washington DC (Florence [xcl] and Welch Depos)	\$685.20
6/1/2009	Lunch	\$14.46
6/1/2009	Taxi from IAD to Hotel	\$70.00
6/1/2009	Hotel tips (cash)	\$5.00
6/2/2009	Hotel -- <b>2 nights</b> -- Washington DC	\$677.12
6/2/2009	Dinner	\$55.00
6/3/2009	Lunch	\$7.69
6/3/2009	Dinner	\$23.95
6/3/2009	Metrorail	\$2.05
6/3/2009	DFW Airport Parking	\$51.00
6/5/2009	Court reporting fee for teleconferencing at Frank deposition	\$150.00
6/8/2009	Coach Airfare DFW-BUR-JFK-DFW (Peterson and Martin Depos)	\$1,099.30
6/8/2009	Hotel (Los Angeles)	\$258.79
6/8/2009	Hotel tips (cash)	\$5.00
6/8/2009	Parking	\$16.00
6/8/2009	Breakfast	\$23.00
6/8/2009	Lunch	\$35.00
6/8/2009	Dinner	\$50.49
6/9/2009	Hotel (Los Angeles)	\$285.36
6/9/2009	Lunch	\$14.04
6/9/2009	Dinner	\$55.00
6/10/2009	Gasoline	\$28.61
6/10/2009	Dinner	\$55.00
6/10/2009	Taxi JFK to Hotel	\$53.00
6/10/2009	Hotel (New York)	\$443.80
6/11/2009	Taxi to deposition	\$8.00
6/11/2009	Taxi to JFK	\$53.00
6/11/2009	Hotel (Chicago -- due to weather diversion)	\$275.81
6/11/2009	Dinner	\$24.38
6/12/2009	DFW Airport Parking	\$71.00
6/21/2009	RT Coach Airfare and change fees DFW-PIT (Phase I hearing)	\$1,409.20
6/21/2009	Hotel (William Penn) -- <b>two nights</b>	\$499.32
6/21/2009	Taxi from Airport	\$45.00
6/22/2009	Breakfast	\$25.00
6/22/2009	Lunch	\$7.75
6/22/2009	Dinner	\$45.00
6/22/2009	Hotel Tips (cash)	\$5.00
6/23/2009	Lunch	\$9.57
6/23/2009	Airport Parking (DFW)	\$54.00
6/29/2009	RT Coach Airfare DFW-LGA for LaForce depo (rescheduled; to be reused)	\$774.70
	<b>TOTAL EXPENSES</b>	<b>\$7,769.09</b>